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TULSA COUNTY DISTRICT COURT
STATE OF OKLAHOMA

DISTRICT COURT
F I L E D

OCT 21 2015

DENISE BURDEN,

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

v.

MAR B, INC., an Oklahoma corporation,
and McDONALD'S CORPORATION,
a foreign corporation,

Case No. **CJ-2015-03879**

JURY TRIAL DEMANDED
ATTORNEY LIEN CLAIMED

Defendants.)

DANA LYNN KUEHN

PETITION

Plaintiff Denise Burden ("Burden" or "Plaintiff") hereby brings this action seeking declaratory and injunctive relief, compensatory and equitable damages, liquidated damages, punitive damages, and costs and attorney fees for violations by Defendants Mar B, Inc. and McDonald's Corporation (collectively, "Defendants") of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*

PARTIES, JURISDICTION & VENUE

1. This action arises under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* ("Title VII").
2. Plaintiff Denise Burden is a resident of the City of Bristow, Creek County, State of Oklahoma.
3. Plaintiff is an employee of Defendants Mar B, Inc. and McDonald's Corporation.
4. Plaintiff is a member of a class protected by Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e ("Title VII"), to wit: African-American.

EXHIBIT NO.

5. Defendant Mar B, Inc., is a domestic corporation that conducts business in the City of Bristow, State of Oklahoma.
6. Defendant McDonald's Corporation is a foreign corporation that conducts business in the State of Oklahoma.
7. Each Defendant is an "employer" pursuant to 42 U.S.C. § 2000e(b).
8. Plaintiff timely filed Charge of Discrimination No. 564-2015-0859 with the United States Equal Employment Opportunity Commission ("EEOC"), wherein she complained that Defendants unlawfully discriminated against her on the basis of her race.
9. Plaintiff filed this action within ninety (90) days after receiving her *Dismissal and Notice of Rights* from the EEOC on July 24, 2015.
10. The venue of this action properly lies in Tulsa County District Court pursuant to OKLA. STAT. tit. 12 § 137.

FIRST CAUSE OF ACTION:
VIOLATION OF TITLE VII

For her First Cause of Action, Plaintiff re-alleges and incorporates by reference all paragraphs above, and further states:

11. At all times material to Plaintiff's First Cause of Action, Defendants shared and/or co-determined matters governing the essential terms and conditions of employment for those individuals working at the McDonald's restaurant restaurant located in Bristow, Oklahoma.
12. As an African-American, Plaintiff is protected from race-based discrimination under the provisions of Title VII, § 2000(e) *et seq.*

13. During her employment with Defendants, Plaintiff has been subjected to disparate treatment and suffered a hostile work environment under circumstances that give rise to an inference of unlawful race discrimination.
14. Defendants' treatment of Plaintiff constitutes race discrimination in violation of Title VII.
15. The acts and/or omissions by Defendants have given rise to a claim by Plaintiff for equitable damages, said damages consisting of back pay, front pay, lost employment benefits, prejudgment interest, attorney fees, and costs.
16. The acts and/or omissions by Defendants have given rise to a claim by Plaintiff for compensatory damages, said damages consisting of emotional distress, loss of enjoyment of life, loss of self-esteem, loss of earning capacity, embarrassment, humiliation, inconvenience and mental anguish.
17. The acts and/or omissions of Defendants were willful, wanton, malicious and/or in total disregard for Plaintiff's rights, giving rise to punitive damages.

WHEREFORE, premises considered, Plaintiff Denise Burden prays for judgment against Defendants for actual, compensatory, and punitive damages (including back pay, front pay, lost employment benefits, emotional distress, loss of enjoyment of life, loss of self-esteem, loss of earning capacity, embarrassment, humiliation, inconvenience, and mental anguish) in an amount exceeding \$75,000.00, or such other specific sum consistent with the evidence that Plaintiff anticipates will be presented in this case. Plaintiff also prays for prejudgment interest, attorney fees, and the costs of this action, to be taxed against Defendants, along with an award of all other relief (whether

legal, equitable, or both) to which Plaintiff may be entitled and/or that the Court deems just and proper.

Respectfully submitted:

CAMP LAW FIRM

By:

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